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*Counsel for Official Committee of Tort Claimants*

**UNITED STATES BANKRUPTCY COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION**

**In re:**

**PG&E CORPORATION**

**-and-**

**PACIFIC GAS AND ELECTRIC**

**COMPANY,**

**Debtors,**

- ☐ Affects PG&E Corporation  
☐ Affects Pacific Gas and Electric Company  
☒ Affects both Debtors

*\*All papers shall be filed in the Lead Case,  
No. 19-30088 (DM)*

Bankruptcy Case  
No. 19-30088 (DM)

Chapter Number: 11  
(Lead Case)  
(Jointly Administered)

**DECLARATION OF JEFFREY R. DION IN  
SUPPORT OF MOTION OF THE OFFICIAL  
COMMITTEE OF TORT CLAIMANTS  
PURSUANT TO 11 U.S.C. §§ 105(a), 501, AND  
FED R. BANKR. P. 3003(c), 5005 AND 9007  
FOR ENTRY OF AN ORDER (I)  
APPROVING A SEPARATE BAR DATE FOR  
FIRE CLAIMS, (II) APPROVING THE  
FORM FOR NOTICE OF THE BAR DATE  
FOR FIRE CLAIMS AND RELATED  
PROCEDURES, AND (III) APPROVING  
SUPPLEMENTAL PROCEDURES FOR  
PROVIDING NOTICE OF IMPORTANT  
DEADLINES TO FIRE CLAIMANTS**

Date: June 11, 2019  
Time: 9:30 a.m. (Pacific Time)  
Place: United States Bankruptcy Court  
Courtroom 17, 16th Floor  
San Francisco, CA 94102  
Objection Deadline: June 10, 2019,  
4:00 p.m. (Pacific Time)

1 JEFFREY R. DION declares as follows under penalty of perjury:

2 1. I am an attorney in good standing admitted to practice in the Commonwealth of  
3 Virginia, the United States District Court for the Eastern District of Virginia, the United States  
4 Court of Appeals for the Fourth Circuit, and the United States Supreme Court. I currently serve  
5 as Executive Director of the National Compassion Fund, a nonprofit organization dedicated to the  
6 collection and distribution of charitable donations to victims of mass casualty crimes.

7 2. I have personal knowledge of the facts stated herein except as to matters where I  
8 indicate otherwise, and as to those matters, I believe them to be true. If called upon to testify, I  
9 could and would competently do so. I make this declaration in support of the Motion of the  
10 Official Committee of Tort Claimants (the “TCC”) pursuant to 11 U.S.C. §§ 105(a), 501, and Fed  
11 R. Bankr. P. 3003(c), 5005 and 9007 for Entry of an Order (i) Approving a Separate Bar Date for  
12 Fire Claims, (ii) Approving the Form for Notice of the Bar Date for Fire Claims and Related  
13 Procedures, and (iii) Approving Supplemental Procedures for Providing Notice of Important  
14 Deadlines to Fire Claimants (the “**Motion**”). The TCC’s Objection is filed concurrently herewith.

15 3. I have reviewed PG&E’s Motion proposing a bar date of September 16, 2019 for  
16 all Wildfire Claims, as well as the declarations submitted in support of the Motion. I have also  
17 reviewed the Motion of the Official Committee of Tort Claimants Pursuant to 11 U.S.C.  
18 §§ 105(a) and 501 and Fed. R. Bankr. P. 3001(a) for Entry of an Order Approving Proposed  
19 Model Proof of Claim Form for Fire Claims and Related Procedures (Dkt. No. 1824) (the “TCC’s  
20 **Model Proof of Claim and Procedures**”).

21 4. The TCC sought my insight and opinions as to how to best implement an effective,  
22 efficient notice program with the objective of reaching as many Fire Claimants as possible to  
23 inform them of the bar date, the process for filing a proof of claim, and their rights in the  
24 Chapter 11 Cases.

25 5. I have extensive experience in developing notice and outreach programs to contact  
26 and inform dispersed and displaced victims of mass disasters. This includes administration of  
27 relief funds for: (1) victims of nearly a dozen mass shooting events around the country; (2) the  
28 August 2017 car attack in Charlottesville, VA, following the “Unite the Right” rally; and

1 (3) conducting an outreach and awareness campaign to educate victims of the September 11, 2001  
2 terrorist attacks about their options to filing a civil lawsuit against their airlines or a claim with  
3 the federal government's September 11th Victim Compensation Program. The September 11,  
4 2001 campaign consisted of dozens of forums throughout the United States and Canada, and  
5 directly served over 1,500 victims. My work on notice procedures, campaigns, and other  
6 outreach programs has involved mass disasters impacting more than 5,000 victims.

7 6. Each of these relief or compensation funds involved a deadline by which victims  
8 were required to submit an application for benefits. For example, in the case of the September  
9 11th Fund, potential claimants had 27 months following the attacks to submit a claim to the  
10 program. Determining the appropriate claim submission deadline in a mass trauma context  
11 requires consideration of various factors, including the number of potential claimants, known  
12 identities and contact information for claimants, and the psychological trauma experienced by the  
13 class of applicants.

14 7. Although fires have important categorical differences from mass shootings or  
15 terrorist attacks, they share common elements of trauma that have likely affected potential Fire  
16 Claimants here. Based on my understanding of the facts of this case, including media coverage of  
17 some of the harrowing accounts of individuals affected by the fires, I recognize many of the same  
18 traumatic experiences that occur in other mass casualty events: individuals fearful for their lives,  
19 fleeing from impending danger, uncertain whether they or their loved ones will make it out alive.  
20 These experiences can cause deep, long-lasting psychological trauma, and it is critical to  
21 recognize that fact when designing a compensation program and selecting an appropriate claim  
22 submission deadline.

23 8. Based on my experiences described above (§ 6), a person who experiences or  
24 witnesses a terrifying event may exhibit signs of traumatic stress which can be associated with  
25 impaired cognitive and memory functions of the brain. Consequently, individuals who survive a  
26 traumatic event where they were exposed to an imminent risk of death often have difficulty  
27 executing administrative functions. In my experience, traumatized individuals have significant  
28

1 difficulty executing even basic administrative tasks, such as completing an application or  
2 remembering deadlines.

3 9. In working with victims, I have observed that these effects can last for months or  
4 years after a traumatic event. I am aware from news coverage that many individuals affected by  
5 the fires at issue in this case continue to suffer from trauma-related mental health effects. For  
6 example, I am aware of the efforts of the Wildfire Mental Health Collaborative to provide support  
7 to individuals struggling with mental health issues following the 2017 North Bay Fires.<sup>1</sup>

8 10. I believe that the bar date proposed in PG&E's Motion of September 16, 2019 is  
9 unrealistic in that it is will set too short a time period to provide effective notice to Fire  
10 Claimants.

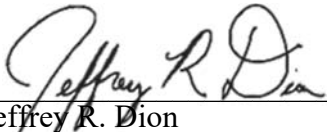
11 11. Given the logistical hurdles to reach potential Fire Claimants—many of whom I  
12 understand to have been displaced or relocated following the loss of their homes, and many who  
13 are likely still suffering the effects of psychological trauma—a longer effort is required to  
14 sufficiently communicate the information to this population and to allow them time to complete  
15 and submit the necessary claim forms.

16 12. Based on the circumstances and given the notice plan set forth in the Declaration  
17 of Steven Weisbrot, I recommend a bar date of January 31, 2020. This bar date assumes that the  
18 Court adopts the TCC's Model Proof of Claim and Procedures, as well as the TCC's notice plan  
19 described in the Declaration of Steven Weisbrot.

20 13. Pursuant to 28 U.S.C. § 1746, I declare under the penalty of perjury that the  
21 foregoing is true and correct to the best of my knowledge and belief.

22 Dated: May 31, 2019

23 By:

24 Name:  Jeffrey R. Dion

25 Title: Executive Director, National Compassion Fund

26  
27 <sup>1</sup> See Matt Simon, WIRED, *What One Devastated Community Can Teach The World About Mental Health* (Oct. 8,  
28 2018), <https://www.wired.com/story/wildfires-mental-health/>; Martin Espinoza, Press Democrat, *Psychological Scars from October Wildfires Cut Deep in Sonoma County* (July 28, 2018), available at:  
<https://www.pressdemocrat.com/news/8511629-181/psychological-scars-from-october-wildfires>.